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By: _____

Typed Name: Teresa A. Fleming

Date of Deposit: 06/22/2005

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97

Inventors: James M. Avery
Title: METHOD FOR MERGING A PLURALITY OF DATA STREAMS INTO A SINGLE DATA STREAM
Filing Date: 7/13/2001
Serial Number: 09/905,483
Group Art Unit: 2182
Examiner: Farooq, Mohammad O.

On an enclosed Form PTO-1449 is information known to applicant(s) and submitted pursuant to 37 C.F.R. § 1.56. A copy of each listed publication and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. § 1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. The Examiner is requested to initial and return the enclosed Form PTO-1449 in accordance with MPEP § 609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56.

☐ This statement qualifies under 37 C.F.R. § 1.97, subsection (b) because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage
-- OR --
- ☐ (3) It is being filed before the mail date of the first Office Action on the merits.

☒ 37 C.F.R. § 1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in § 1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but

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before the mailing date of the earlier of a final office action under § 1.113 or a notice of allowance under § 1.311, then:

- ☐ a certification as specified in § 1.97(e) is provided below; or
- ☒ a fee of \$180.00 as set forth in § 1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. § 1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under § 1.113 or a notice of allowance under § 1.311, but before payment of the issue fee, then:
- A. a certification as specified in § 1.97(e) is completed below; and
- B. a petition under 37 C.F.R. § 1.97(d) requesting consideration of this statement is submitted herewith; and
- C. a fee of \$180.00 as set forth in § 1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ Statement under 37 C.F.R. § 1.97(e) - I hereby certify that either: each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the information disclosure statement; or no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Respectfully submitted,

Name: Hoyt A. Fleming III
Reg. No.: 41,752

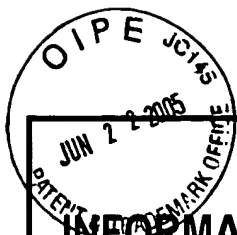
Signature: _____



Date: 06/22/2005

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INFORMATION DISCLOSURE CITATION

PTO-1449

Complete if Known

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|----------------------|----------------|
| Application No. | 09/905,483 |
| Filing Date | 7/13/2001 |
| First Named Inventor | James M. Avery |
| Group Art Unit | 2182 |
| Atty. Docket No. | SUN-P5493-MDF |
| Page | 1 of 2 |

U.S. PATENT DOCUMENTS

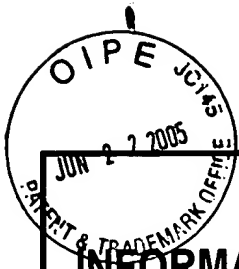
| EXAMINER'S INITIALS | PATENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE |
|------------------------|------------|------|------|-------|----------|-------------|
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FOREIGN PATENT DOCUMENTS

| EXAMINER'S INITIALS | PATENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | Translation | |
|------------------------|------------|------|---------|-------|----------|--------------------------|--------------------------|
| | | | | | | Yes | No |
| | | | | | | <input type="checkbox"/> | <input type="checkbox"/> |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| Page | 2 of 2 |

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Jan Beran, Statistical Methods for Data with Long-Range Dependence, Nov. 1992

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Mark W. Garrett, Contributions toward real-time services on packet switched networks, 1993

Jonathan H. B. Deane, Chaotic traffic flow in local area networks

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.